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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

MARITZA MALDONADO RODRIGUEZ
BRACKMAN and
WANDA MALDONADO RODRIGUEZ
GAZONAS

Vs.

LCDO. PEDRO RODRIGUEZ SAMALOT

CIVIL ACTION NO.

25-CV-1135 CVR

AGAINST LCDO. PEDRRO RODRIGUEZ SAMALOT
FOR THE WRONGFUL HANDLING OF ESTATE OF
JULIO MALDONADO FALCON
WITH JURY DEMAND

COMPLAINT

This action is brought by Plaintiffs based upon the provisions of 8 U.S.C. § 1332 as Plaintiffs are residents of New Jersey and the Defendant is a resident of the Commonwealth Puerto Rio. The Cause of Action is brought under 38 U.S.C. § 6101 as well as other federal code sections.. The controversy amount exceeds \$100,000, qualifying this Civil Action under 28 U.S.C.

FIRST COUNT

1. Plaintiff Maritza Rodriguez Maldonado Brackman, 29 Riverbend Road, Berkeley Heights, New Jersey 07922, and

2. Plaintiff Wanda Rodriguez Maldonado Gazonas 26 Jonathan Court, Robbinsville, New Jersey 08691, and
3. Defendant Lcdo. Pedro Rodriguez Samalot, Banco Cooperativo Plaza, Suite 1203-B, Ave Ponce De Leon 623, Hato Rey, Puerto Rico 00917-4829.
4. Plaintiffs Maritza Rodriguez Maldonado Brackman and Wanda Rodriguez Maldonado Gazonas herein known as Maritza and Wanda by way of complaint against defendant Samalot herein after referred to as Samalot say that:
5. Several days after the passing of Julio Maldonado Falcon on March 10, 2010, Brenda Maldonado one of the beneficiaries retained the services of Samalot to represent the interest of nine heirs in the matter of the Estate. Upon information and belief our father the deceased had employed the services of Samalot prior to his passing.

6. The Plaintiffs Maritza and Wanda the issue of the decedent Julio Maldonado Falcon began to suspect the Defendant Samalot of mishandling the Estate.

7. The estate consisted of real property, bank accounts and personal accounts.

8. The named Executor was the decedent's brother Paulino Maldonado Falcon.

9. There are seven other beneficiaries. These beneficiaries are not included in this action unless otherwise ordered by the Court. Samalot recused himself as the estate attorney for a few years due to the heirs not being able to come together on certain issues.

10. Samalot has represented the estate since the passing of Julio MaldonadoFalcon. The named executor under the will was Paulino Maldonado Falcon. Paulino Falcon was removed as executor allegedly due to account embezzling. No new executor was appointed. The Plaintiff's maintain that Samalot to the detriment of the plaintiffs and the Estate failed to petition the Court for an alternate Executor.

11. Without authorization or the consent of the beneficiaries Samalot acted in place of a new executor. Apparently Samalot sold the properties, and handled the money received from the sale of the properties without authorization and has refused to send the Plaintiff's a detailed verifiable documentation in the sale of the properties. Recently, Plaintiff's learned several estate properties may have remained in the name of the decedent therefore possibly making the Plaintiff's liable for taxes and other expenses attributable to the properties. The Plaintiffs made numerous attempts to secure verifiable information as to the records of the conveyance of the properties. His response to these demands was to prepare self-serving supposed records of these conveyances. No official documentation was ever supplied.

12. Samalot continues to act as a self-appointed administrator or executor for the estate. He has carried out transactions, negotiated and sold estate properties without the consultation or consent of the Plaintiff's. Plaintiffs are left with the question what actual funds were realized from the sale of these properties and/or bank accounts. Plaintiffs surmised that other sources were depleted.

13. Defendant Samalot has breached a fiduciary duty owed to the Plaintiff' and to the estate whereby Plaintiffs demands judgment for damages

as may be determined by the Court for all monies contained in the estate together with a full accounting by a court appointed accountant or auditor.

WHEREFORE, Plaintiffs Maritza and Wanda demand judgment ordering a complete documented accounting of all monies contained in the estate from the beginning together with damages both compensatory and punitive with fees interest and cost of suit.

SECOND COUNT

1. Plaintiff's Maritza and Wanda repeat and reallege all the allegations contained in paragraph 1 as if fully set forth herein and made a part hereof.
2. Defendant Samalot committed fraud in the handling in the estate of Julio Maldonado Falcon.

WHEREFORE, Plaintiffs Maritza and Wanda demand judgment ordering a complete documented accounting of all monies contained in the estate from the

beginning together with damages both compensatory and punitive with fees interest and cost of suit.

THIRD COUNT

1. Plaintiff's Maritza and Wanda repeat and reallege all the allegations contained in paragraph 1 and 2 as if fully set forth herein and made a part hereof.
2. Defendant Samalot committed civil theft in the handling in the estate of Julio Maldonado Falcon.

WHEREFORE, Plaintiffs Maritza and Wanda demand judgment ordering a complete documented accounting of all monies contained in the estate from the beginning together with damages both compensatory and punitive with fees interest and cost of suit.

FOURTH COUNT

1. Plaintiff's Maritza and Wanda repeat and reallege all the allegations contained in paragraph 1 through 3 as if fully set forth herein and made a part hereof.
2. Defendant Samalot committed conversion in the handling in the estate of Julio Maldonado Falcon.

WHEREFORE, Plaintiffs Maritza and Wanda demand judgment ordering a complete documented accounting of all monies contained in the estate from the beginning together with damages both compensatory and punitive with fees interest and cost of suit.

FIFTH COUNT

1. Plaintiff's Maritza and Wanda repeat and reallege all the allegations contained in paragraph 1 through 4 as if fully set forth herein and made a part hereof.
2. Defendant Samalot misappropriated assets in the estate of Julio Maldonado Falcon

WHEREFORE, Plaintiffs Maritza and Wanda demand judgment ordering a complete documented accounting of all monies contained in the estate from the beginning together with damages both compensatory and punitive with fees interest and cost of suit.

SIXTH COUNT

1. Plaintiff's Maritza and Wanda repeat and reallege all the allegations contained in paragraph 1 through 5 as if fully set forth herein and made a part hereof.
2. Defendant Samalot comingled funds in handling the estate of Julio Maldonado Falcon.

WHEREFORE, Plaintiffs Maritza and Wanda demand judgment ordering a complete documented accounting of all monies contained in the estate from the beginning together with damages both compensatory and punitive with fees interest and cost of suit.

SEVENTH COUNT

1. Plaintiff's Maritza and Wanda repeat and reallege all the allegations contained in paragraph 1 through 6 as if fully set forth herein and made a part hereof.
2. Defendant Samalot committed fraudulent inducement in the handling of the estate of Julio Maldonado Falcon.

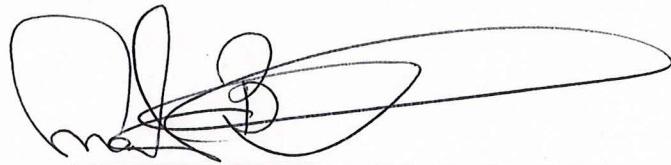
WHEREFORE, Plaintiffs Maritza and Wanda demand judgment ordering a complete documented accounting of all monies contained in the estate from the beginning together with damages both compensatory and punitive with fees interest and cost of suit.

EIGHTH COUNT

1. Plaintiffs Maritza and Wanda repeat and reallege all the allegations contained in paragraph 1through 7 as if fully set forth herein and made a part hereof.
2. Samalot withheld vital, viable documentation concerning the assets and records of all monies real and personal contained in the estate of Julio Maldonado Falcon.

WHEREFORE, Plaintiffs Maritza and Wanda demand judgment ordering a complete documented accounting of all monies contained in the estate from the beginning together with damages both compensatory and punitive with fees interest and cost of suit.

Plaintiffs demand trial by jury.



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